

MARK JENDREK, P.C.

ATTORNEY AT LAW
800 SOUTH GAY STREET
SUITE 1910

KNOXVILLE, TENNESSEE 37929

865/824-1900
865/824-1910 FAX

ALSO ADMITTED IN MARYLAND

03 MAR 10 11:10 AM
TN REGULATORY AUTHORITY
DOCKET ROOM

PAID T.R.A.

Chk # 2425

Amount 25.00

Rcvd By JR

Date 3-10-03

REPLY TO:

P. O. BOX 549

KNOXVILLE, TENNESSEE 37901

E-MAIL TO: mj@jendrekpc.com

Via FedEx

Ms. Charla Dillon, Docket Clerk
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re: Petition to Intervene; Docket No. 03-00069

Dear Ms. Dillon:

Thank you for calling me earlier today and pointing out that I had left the \$25 filing fee out of my correspondence to you dated March 5th.

Enclosed is my firm's check in the amount of \$25.00 which I am overnighting you for your receipt on Monday, March 10. Again, thank you very much for calling and reminding me of this oversight on my part.

Very truly yours,



Mark Jendrek

Enclosure

MARK JENDREK, P.C.

ATTORNEY AT LAW

800 SOUTH GAY STREET

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March 5, 2003

'03 MAR 7 AM 9 55

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DOCKET ROOM

Ms. Charla Dillon, Docket Clerk
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

Re: Petition to Intervene; Docket No. 03-00069

Dear Ms. Dillon:

Enclosed is an original and 14 copies of a Petition to Intervene filed by Smokey Mountain Ridge, L.L.C. in the above-referenced case. Please date stamp a copy of the document and return it to me in the enclosed self-addressed, stamped envelope.

Also enclosed is my firm's check in the amount of \$25.00 for the filing fee.

By copy of this letter and the enclosure, the Petition to Intervene is being served on On-Site Systems, Inc.

If you have any questions, please call.

Very truly yours,



Mark Jendrek

Enclosures

cc: On-Site Systems, Inc.
Smokey Mountain Ridge, L.L.C.

**IN THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:

'03 MAR 7 AM 9 55

PETITION OF ON-SITE SYSTEMS, INC. TO AMEND
ITS CERTIFICATE OF CONVENIENCE AND NECESSITY
TO INCLUDE A PORTION OF SEVIER COUNTY KNOWN
AS SMOKY MOUNTAIN RIDGE RESORT

)
) DOCKET NO. 03-00069
) TN REGULATORY AUTHORITY
) DOCKET ROOM
)
)

PETITION TO INTERVENE

Smokey Mountain Ridge, L.L.C., owners of Smoky Mountain Ridge resort, by and through counsel, petitions the Tennessee Regulatory Authority ("TRA"), pursuant to Tennessee Code Annotated 65-2-107 and 4-5-310, to intervene and be heard in opposition to On-Site Systems, Inc.'s ("On-Site") Petition To Amend Its Certificate of Convenience and Necessity to include a portion of Sevier County known as Smoky Mountain Ridge resort as described as Tax Map 104, parcels 76 and 79 ("Petition"). For cause, Petitioner would show as follows:

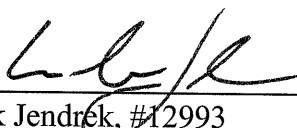
1. Smokey Mountain Ridge, L.L.C. is the owner of Smoky Mountain Ridge resort described as Tax Map 104, parcel 79. Smokey Mountain Ridge, L.L.C. has a binding contractual obligation to purchase the area described as Tax Map 104, parcel 76 (collectively, "Property").
2. Smokey Mountain Ridge, L.L.C. has never requested that On-Site provide services at the Property or that On-Site petition the TRA in order to amend On-Site's Certificate of Convenience and Necessity to include the Property. Furthermore, On-Site never served Smokey Mountain Ridge, L.L.C. with notice of On-Site's Petition to include the said areas within On-Site's Certificate of Convenience and Necessity. Granting On-Site's Petition would adversely affect Smokey Mountain Ridge, L.L.C.'s legal rights, duties, privileges, and

immunities with respect to the Property. Additionally, Smokey Mountain Ridge, L.L.C. qualifies as an intervenor.

3. Smokey Mountain Ridge, L.L.C. has rejected contract proposals by On-Site to provide sewer service to Smoky Mountain Ridge resort. In earlier contract negotiations with On-Site, On-Site refused terms acceptable to Smokey Mountain Ridge, L.L.C. Additionally, On-Site was unresponsive and unwilling to reach an acceptable agreement for supplying sewer services to Smoky Mountain Ridge resort. Smokey Mountain Ridge, L.L.C. has contracted with a another party to supply the sewer service to Smoky Mountain Ridge resort.

WHEREFORE, the Petitioner prays the TRA grant its Petition to Intervene, and that Smokey Mountain Ridge, L.L.C. be made a party to this cause.

Respectfully submitted this 5 day of March, 2003.



Mark Jendrek, #12993
MARK JENDREK, P.C.
P.O. Box 549
Knoxville, Tennessee 37901
865/824-1900
Attorney for Smokey Mountain Ridge, L.L.C.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document has been served upon the following persons by hand delivery or by United States Mail, with proper postage thereon.

On-Site System's Inc.
7638 River Road Pike
Nashville, Tennessee 37209-5733

This 5 day of March, 2003.



Mark Jendrek